

## **Part 1**

### **Institutional Courses of Study**

#### **53B-16-101 Establishment of institutional roles and general courses of study.**

- (1) Except as institutional roles are specifically assigned by the Legislature, the board may establish and define the roles of the various institutions of higher education under its control and management and shall prescribe the general course of study to be offered at each institution.
- (2) In establishing and defining institutional roles, the board shall consider the traditional roles of the separate institutions.

Enacted by Chapter 167, 1987 General Session

#### **53B-16-102 Changes in curriculum -- Substantial alterations in institutional operations -- Periodic review of programs -- Career and technical education curriculum changes.**

- (1) Under procedures and policies approved by the board and developed in consultation with each institution of higher education, each institution may make such changes in its curriculum as necessary to better effectuate the institutional role previously approved by the board.
- (2) Notice of a change in the curriculum shall in all cases be promptly submitted to the board.
- (3) The board shall establish procedures and policies for considering institutional proposals for substantial alterations in the scope of existing institutional operations.
- (4) Alterations shall not be made without prior approval of the state board.
- (5) For purposes of this section, "substantial alteration" means the establishment of a branch, extension center, college, professional school, division, institute, department, or a new program in instruction, research, or public services or a new degree, diploma, or certificate.
- (6) The board shall conduct periodic reviews of all programs of instruction, research, and public service at each institution, including those funded by gifts, grants, and contracts, and may require the modification or termination of any program.
- (7) Prior to requiring modification or termination of a program, the board shall give the institution adequate opportunity for a hearing before the board.
- (8) In making decisions related to career and technical education curriculum changes, the board shall request a review of the proposed changes by the State Board of Education and the Utah College of Applied Technology Board of Trustees to ensure an orderly and systematic career and technical education curriculum that eliminates overlap and duplication of course work with the high schools and applied technology colleges within the Utah College of Applied Technology.

Amended by Chapter 236, 2016 General Session

#### **53B-16-103 Granting of degrees, diplomas, or certification -- Board approval -- Termination of previous approval.**

- (1)
  - (a) An institution of higher education may not issue a degree, diploma, or certificate unless it first receives approval from the board of the adequacy of the study for which the degree, diploma, or certificate is offered.

- (b) A student shall demonstrate a reasonable understanding of the history, principles, form of government, and economic system of the United States prior to receiving a bachelor's degree or teaching credential.
- (2) Degrees, diplomas, and certificates issued prior to the effective date of this chapter do not require board approval.
- (3) The board may terminate the granting of previously approved degrees, diplomas, and certificates if they are inconsistent with the role prescribed by the board for the affected institution.

Amended by Chapter 137, 1988 General Session

**53B-16-104 Restrictions on higher education entities bidding on architect or engineering services in public procurement projects.**

- (1) As used in this section:
  - (a) "Architect-engineer services" means those professional services within the scope of the practice of architecture as defined in Section 58-3a-102, or professional engineering as defined in Section 58-22-102.
  - (b) "Government entity" means a state agency, an institution of higher education, a county, a municipality, a local school district, a local district, or a special service district.
- (2) When a government entity elects to obtain architect or engineering services by using a competitive procurement process and has provided public notice of its competitive procurement process:
  - (a) a higher education entity, or any part of one, may not submit a proposal in response to the government entity's competitive procurement process; and
  - (b) the government entity may not award a contract to perform the architect or engineering services solicited in the competitive procurement process to a higher education entity or any part of one.
- (3)
  - (a) Subject to the prohibition contained in Subsection (3)(b), an employee of a higher education entity may, in a private capacity, submit a proposal in response to the competitive procurement process.
  - (b) An employee of a higher education entity may not use any supplies, materials, or other resources owned by, or any persons matriculating at, attending, or employed by, the higher education entity in:
    - (i) preparing a response to the competitive procurement process; or
    - (ii) completing any work, assignment, or contract awarded to the employee resulting from that competitive procurement process.

Amended by Chapter 329, 2007 General Session

**53B-16-105 Common course numbering -- Credit by examination -- Transferability of credits -- Policies.**

- (1) The board shall:
  - (a) facilitate articulation and the seamless transfer of courses within the state system of higher education;
  - (b) provide for the efficient and effective progression and transfer of students within the state system of higher education;
  - (c) avoid the unnecessary duplication of courses; and

- (d) allow students to proceed toward their educational objectives as rapidly as their circumstances permit.
- (2) The board shall develop, coordinate, and maintain a transfer and articulation system within the state system of higher education that:
  - (a) maintains a course numbering system that assigns common numbers to specified courses of similar level with similar curricular content, rigor, and standards;
  - (b) allows students to transfer courses among institutions of higher education to meet requirements for general education and lower division courses that transfer to baccalaureate majors;
  - (c) improves program planning;
  - (d) increases communications and coordination between institutions of higher education; and
  - (e) facilitates student acceleration and the transfer of students and credits between institutions.
- (3)
  - (a) The board shall identify general education courses in the humanities, social sciences, arts, physical sciences, and life sciences with uniform prefixes and common course numbers.
  - (b) All institutions of higher education shall accept the courses described under Subsection (3)(a) toward filling specific area requirements for general education or lower division courses that transfer to baccalaureate majors.
- (4)
  - (a) The board shall identify common prerequisite courses and course substitutions for degree programs across all institutions of higher education.
  - (b) The commissioner shall appoint committees of faculty members from the institutions of higher education to recommend appropriate courses of similar content and numbering that will satisfy requirements for lower division courses that transfer to baccalaureate majors.
  - (c) All institutions of higher education shall accept the courses approved under Subsection (4)(a) toward filling graduation requirements.
- (5) The board shall identify minimum scores and maximum credit for each:
  - (a) College Level Examination Program (CLEP) general examination;
  - (b) College Level Examination Program (CLEP) subject examination;
  - (c) College Board advanced placement examination; and
  - (d) other examination for credit.
- (6)
  - (a) Institutions of higher education shall award credit if competencies have been demonstrated by passing a challenge examination.
  - (b) Institutions of higher education shall award credit for the specific courses for which competency has been demonstrated by successfully passing a challenge examination described under Subsection (5)(a) unless the award of credit duplicates credit already awarded.
- (7) The board shall establish policies to administer the policies and requirements under Subsections (2) through (6).
- (8) The board shall include information demonstrating that institutions of higher education are complying with the provisions of this section and the policies established in accordance with Subsection (7) in the annual report of its activities to the governor and to the Legislature required under Section 53B-1-107.

Enacted by Chapter 125, 2004 General Session

**53B-16-106 Board to establish electronics engineering program at Weber State University.**

- (1) The board shall approve a proposal submitted by Weber State University, in accordance with Section 53B-16-102 and board policy, to establish a bachelor of science degree program in electronics engineering.
- (2) Weber State University shall establish the program described in Subsection (1) within existing budgets and with no additional appropriation.

Enacted by Chapter 400, 2010 General Session

**53B-16-107 Credit for military service and training -- Notification -- Transferability -- Reporting.**

- (1) As used in this section, "credit" includes proof of equivalent noncredit course completion awarded by the Utah College of Applied Technology.
- (2) An institution of higher education listed in Section 53B-2-101 shall provide written notification to each student applying for admission that the student is required to meet with a college counselor in order to receive credit for military service and training as recommended by a postsecondary accreditation agency or association designated by the State Board of Regents or the Utah College of Applied Technology Board of Trustees if:
  - (a) credit for military service and training is requested by the student; and
  - (b) the student has met with an advisor at an institution of higher education listed in Section 53B-2-101 at which the student intends to enroll to discuss applicability of credit to program requirements, possible financial aid implications, and other factors that may impact attainment of the student's educational goals.
- (3) Upon transfer within the state system of higher education, a student may present a transcript to the receiving institution for evaluation and to determine the applicability of credit to the student's program of study, and the receiving institution shall evaluate the credit to be transferred pursuant to Subsection (2).
- (4) The State Board of Regents and the Utah College of Applied Technology Board of Trustees shall annually report the number of credits awarded under this section by each institution of higher education to the Utah Department of Veterans' Affairs.

Amended by Chapter 188, 2016 General Session

**53B-16-108 Courses offered through the Statewide Online Education Program.**

An institution of higher education listed in Section 53B-2-101 may offer a secondary school level course through the Statewide Online Education Program in accordance with Section 53A-15-1205.

Enacted by Chapter 404, 2015 General Session

**53B-16-109 Interstate reciprocity agreement regarding postsecondary distance education courses.**

- (1) As used in this section:
  - (a) "Distance education" means instruction offered by a means where the student and faculty member are in separate physical locations.
  - (b) "Institution" means a degree-granting postsecondary education entity.
  - (c) "Postsecondary education" means education or educational services offered primarily to an individual who:
    - (i) has completed or terminated the individual's secondary or high school education; or
    - (ii) is beyond the age of compulsory school attendance.

- (2) The board may execute an interstate reciprocity agreement for postsecondary distance education:
  - (a) for an institution that offers a postsecondary distance education course or program; and
  - (b) that requires an institution to meet certain standards to become authorized to operate under the interstate reciprocity agreement.
- (3) If the board executes an interstate reciprocity agreement under Subsection (2), the board shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish:
  - (a) standards for granting an institution authorization to operate under the interstate reciprocity agreement;
  - (b) a filing, document, or membership fee required for an institution to obtain authorization under the interstate reciprocity agreement; and
  - (c) a process for administering the interstate reciprocity agreement.

Enacted by Chapter 60, 2016 General Session